

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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RABABA SALAMA BADAWY,

Petitioner,

v.

TISH CASTILLO,

Respondent.

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Civil Action No. 16-8467 (JMV)

**OPINION**

**APPEARANCES:**

Rababa Salama Badawy  
Hudson County Detention Center  
35 Hackensack Ave.  
South Kearny, NJ 07032  
*Acting pro se*

Kruti D. Dharia  
Office of the U.S. Attorney  
District of New Jersey  
970 Broad Street, Suite 700  
Newark, NJ 07102  
On behalf of Respondent

**VAZQUEZ**, United States District Judge

On November 14, 2016, Petitioner filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1), challenging his prolonged detention by U.S. Immigration and Customs Enforcement (“ICE”). Respondent submitted a letter to the Court stating that Petitioner was released from custody on January 19, 2017, as established by Petitioner’s Release Notification. (ECF No. 6.) Respondent contends the habeas petition is moot. (*Id.*)

A habeas petition “generally becomes moot when [a petitioner] is released from custody”



because there is no longer “an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Vasquez v. Aviles*, 639 F. App’x 898, 902 (3d Cir. 2016) (quoting *DeFoy v. McCullough*, 393 F.3d 439, 442 (3d Cir. 2005)). The present petition no longer presents a case or controversy under Article III, § 2 of the United States Constitution because Petitioner is no longer detained by ICE. *See id.* (finding petition moot where there were no collateral consequences that could be addressed by success on the petition after removal) (citing *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th Cir. 2007)). Therefore, the petition is dismissed as moot.

An appropriate Order follows.

Date: February 8, 2017  
At Newark, New Jersey

s/ John Michael Vazquez  
JOHN MICHAEL VAZQUEZ  
United States District Judge